

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
)
Michael A. Thompson and Amber Thompson,) Case No. 22-10333-JCM
) Chapter 13
Debtors)

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: Debtors to remove funding for mortgage payment for rental property that was sold.
- ☐ a motion to lift stay
as to creditor
- ☐ Other:

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Chapter 13 Plan dated
- ☐ Amended Chapter 13 Plan dated October 18, 2022

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Debtors' Plan payments shall be changed from \$ 2,929.00 to \$ 2,252.00 per month, effective March, 2024 ; and/or the Plan term shall be changed from _____ months to _____ months.
- ☐ In the event that Debtors fail to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtors and Debtors' Counsel a notice of default advising the Debtors that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtors fail to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtors shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the _____ Creditor herein of an Affidavit of Non-Compliance.
- ☐ Other: Nationstar Mortgage, LLC shall no longer be paid due to the sale of 810 Federal Drive Sharon, PA 16146. Prior payments were proper. Debtors' counsel shall be paid an additional \$5,000.00, subject to approval via fee application, for a total of \$9,400.00 to be distributed to counsel by the Chapter 13 Trustee. This amount shall not reduce the amount to be distributed to general, unsecured creditors.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect.

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SO ORDERED, this ____ day of _____, 2024

Dated: _____

John C. Melaragno
United States Bankruptcy Judge

Stipulated by:

/s/Lauren M. Lamb
Counsel to Debtors
Lauren M. Lamb, Esquire
STEIDL & STEINBERG
28th Floor-Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
(412) 391-8000
PA I. D. No. 209201
llamb@steidl-steinberg.com

Stipulated by:

/s/James Warmbrodt
Counsel to Chapter 13 Trustee

Stipulated by:

Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk